

OLC RECORD COPY

OLC 78-2134

22 June 1978

MEMORANDUM FOR THE RECORD

SUBJECT: Intelligence and Intelligence-Related Program Authorization
Act for FY 79, H. R. 12240

On 16 June 1978 I received a call from Larry Simms, Justice Department, on H. R. 12240, the "Intelligence and Intelligence-Related Program Authorization Act for FY 79." Mr. Simms said that the Justice Department staff is ready to recommend to Dep. Ass't A.G. Bell that they are happy with CIA's letter and that Attorney General Hammond now is of the opinion that reference to the legal incorrectness of Title IV is best left out, since the implication might arise that if Title IV is "cleaned up" (with regard to its underlying legal incorrectness), the Title would otherwise be acceptable. Justice does not want to give this impression. In effect, then, Mr. Simms indicated that Justice Department staff attorneys could recommend that the Attorney General endorse CIA's letter. It is the Justice Department opinion that the DCI should be the only one sending a views letter which should be cleared through OMB. Mr. Simms added tangentially that the FBI had been supplied with copies of both CIA and State draft letters. I indicated that we still hadn't received the State draft. Mr. Simms said that State Department had been in contact with Justice Department earlier in the day and had threatened to send their own views letter to Senator Bayh but had subsequently withdrawn the threat. Mr. Simms said State Department is of the opinion that our letter does not adequately express their concerns. Mr. Simms made specific reference to the last sentence in the third paragraph of our letter. I told Mr. Simms that I'd get back to him as soon as State Department had called with their comments.

[Redacted Signature Box]
Assistant Legislative Counsel STAT

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OLC [Redacted Box] sm: (20 June 1978)

MORI/CDF